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PATENT
ATTORNEY DOCKET NO. 041465-5061

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

10/3/03

In re Application of)
Tadashi NOGUCHI *et al.*) Confirmation No.: 6235
Application No.: 09/266,780) Group Art Unit: 2615
Filed: March 12, 1999) Examiner: C. Omuaku
For: INFORMATION RECORDING)
APPARATUS, INFORMATION)
RECORDING AND REPRODUCING)
APPARATUS AND RECORD MEDIUM)

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

AMENDMENT

In response to the Office Action dated March 14, 2003 (Paper No. 15), the period for response to which having been extended through September 15, 2003 (September 14 being a Sunday) by a Petition for Extension of Time and fee filed concurrently herewith, please amend the above-identified application as follows:

10/03/2003 BALEXAND 00000001 500310 .09266780

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930.00 DA

1-WA/2052107.1

FROM MORGAN, LEWIS & BOCKIUS

(MON) 09. 22' 03 16:55/ST. 16:54/NO. 3561705463 P 1

Morgan Lewis
COUNSELORS AT LAW

Morgan, Lewis & Bockius LLP
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Washington, DC 20004
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FAX MESSAGE

Send To:

Name: Mr. Christopher Onuaku FAX Number: 703-746-5735
Firm: U.S. Patent & Trademark Office Telephone Number: 703-308-7555

From:

Name Todd P. Taylor Floor: 4 Operator Sending:
Telephone Number: 202-739-5271 Time Sent: Date Sent: September 22, 2003
Number of Pages (INCLUDING COVER PAGE): 18

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Comments: Mr. Onuaku,

As requested, please find the response of September 15, 2003 attached.

-Todd Taylor

PLEASE STAMP AND RETURN TO SHOW RECEIPT OF:

In re application of: Tadashi NOGUCHI *et al.*

Serial No.: 09/266,780

Group: 2615

Filed: March 12, 1999

Examiner: C. Onuaku

For: INFORMATION RECORDING APPARATUS, INFORMATION RECORDING AND REPRODUCING APPARATUS AND RECORD MEDIUM

1. Amendment Transmittal Form including three-month extension of time and authorization to charge Deposit Account # 50-0310 for the \$930.00 three-month extension of time fee.
2. Amendment responsive to the Office Action dated March 14, 2003.

Dated: September 15, 2003

Attorney Docket No.: 041465-5061

TPT/ac



PATENT
ATTORNEY DOCKET NO. 041465-5061

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Tadashi NOGUCHI *et al.*) Confirmation No. 6235
Application No.: 09/266,780) Group Art Unit: 2615
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APPARATUS AND RECORD MEDIUM)

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

AMENDMENT TRANSMITTAL FORM

1. Transmitted herewith is an Amendment responding to the Office Action dated March 14, 2003.
2. Additional papers enclosed:

Drawings: Formal Informal (Correction)
 Information Disclosure Statement
 Form PTO-1449, _____ references included
 Citations
 Declaration of Biological Deposit
 Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.
 Change of Attorney Docket Number

ATTORNEY DOCKET NO.: 041465-5061
Application No.: 09/266,780
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3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

Total Months Requested	Fee for Extension	[Fee for Small Entity]
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 410.00	\$ 205.00
<input checked="" type="checkbox"/> three months	\$ 930.00	\$ 465.00
<input type="checkbox"/> four months	\$ 1,450.00	\$ 725.00

Extension of time fee due with this request: \$930.00.

If an additional extension of time is required, please consider this a Petition therefor.

An extension for _____ months has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

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 Application No.: 09/266,780
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5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	20	minus	20	0	x \$18 each =	+ \$
Independent Claims (37 C.F.R. §1.16(b))	4	minus	4	0	x \$84 each =	+ \$
[] First presentation of Multiple dependent claim(s)					\$280.00	+ \$
SUB-TOTAL =						\$
Reduction by 1/2 for filing by a small entity						- \$
TOTAL FEE =						\$ 0

6. Fee Payment

No fee is to be paid at this time.

Please charge Deposit Account No. 50-0310 the amount of \$930.00 for three month extension of time fee.

The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: September 15, 2003

By:


 Todd P. Taylor
 Reg. No. 48,513

CUSTOMER NO. 09629

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